

THE HONORABLE RICARDO MARTINEZ

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ENDURANCE AMERICAN SPECIALTY
INSURANCE COMPANY, a Delaware
Corporation,

Plaintiff,

v.

EVOLUTION SIDE, LLC, a Washington
limited liability company; LAER
ENTERPRISES, INC., a Washington
corporation; KENTON SCHUMACHER, a
Washington resident; MADALYN HORN, a
Washington resident; JENNIFER LALLY, a
Washington resident; BRANDON &
MICHELLE CONNOR, Washington
residents; MIKE NETTEKOVEN, a
Washington resident; NOAH MANN, a
Washington resident; STACEY MCGRATH,
a Washington resident; JENNIFER
ELLSWORTH-BOESL, a Washington
resident; STORM WENDT, a Washington
resident; DAVID BALDWIN, a Washington
resident; TROY RUNNER, a Washington
resident; TRAVIS REANO, a Washington
resident; DEREK TULLUCK, a Washington
resident; RHONDA & JEFF SAWYER,
Washington residents; JENNIFER
BROADBENT, a Washington resident; ALI
JONES & JULIO VALDEZ, Washington
residents; JOHN KENNEDY, a Washington
resident; ALEX CORRAL & KELSIE
TROTIGNON, a Washington resident;

No. 2:23-cv-00365-RSM

**ORDER GRANTING STIPULATED
MOTION FOR STAY OF REMAINING
CLAIMS OF PLAINTIFF ENDURANCE
AMERICAN SPECIALTY INSURANCE
COMPANY AND DEFENDANT LAER
ENTERPRISES, INC.**

NOTE ON MOTION CALENDAR:
June 16, 2023

ORDER GRANTING STIPULATED MOTION FOR STAY OF REMAINING
CLAIMS OF PLAINTIFF ENDURANCE AMERICAN SPECIALTY INSURANCE
COMPANY AND DEFENDANT LAER ENTERPRISES, INC. - 1

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Seattle, WA 98104
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1 CYNTHIA & JOSHUA BAUER, Washington)
 residents; RICKY & MADISON HALL,)
 2 Washington residents; LARRY PAGUE, a)
 Washington resident; JULIE ACHESON, a)
 3 Washington resident; JENNIFER WHITE, a)
 Washington resident; STEPHEN HANNAN, a)
 4 Washington resident; ANNIE NAHON, a)
 Washington resident; TEMASWATI)
 5 JOHNSTON, a Washington resident; AMIR)
 MOUSAVI, a Washington resident; TYLER)
 6 GOLD, a Washington resident; NOEL)
 TEVES, a Washington resident; TERESA)
 7 RODMAN, a Washington resident; IVAN)
 NGAUAMO, a Washington resident;)
 8 ANDREW & DIANE MORTAGNE,)
 Washington residents; BRIAN HELLESTO, a)
 9 Washington resident; VERNON BRANCO, a)
 Washington resident; LAUREN BICKFORD,)
 10 a Washington resident, JOSHUA &)
 JOHANNA SUMMERS, Washington)
 11 residents; RON BOCCA, a Washington)
 resident; JOSHUA DOERING, a Washington)
 12 resident; KELLY ROBINSON, a Washington)
 resident; KEN CUNNINGHAM, a)
 13 Washington resident; PATRICK BROOKE, a)
 Washington resident; NATE MOWRY, a)
 14 Washington resident; TREVOR ANDERSON,)
 a Washington resident; DEBRA SILVER, a)
 15 Washington resident; TODD GRIFFEN, a)
 Washington resident; RONDA BOYD, a)
 16 Washington resident; GARY MAGREEHAN,)
 a Washington resident; KRISTEN & ALEX)
 17 HALL, Washington residents; CALEB)
 HARRIS, a Washington resident; KIERAN)
 18 HUNT, a Washington resident; LINDSEY)
 CALDERWOOD, a Washington resident;)
 19 CATHY KOMBOL, a Washington resident;)
 REBEKAH ENGEBO, a Washington resident;)
 20 GABRIELLA MANCILLA, a Washington)
 resident; BRIAN & ANISSA REGO,)
 21 Washington residents; KATIE MIKESELL, a)
 Washington resident; TROY SALISBURY &)
 22 JESSICA MATIAS, Washington residents;)
 GREG & TIFFANY HOPKINS, Washington)
 23 residents; RENE LOPEZ RIVERA, a)
 Washington resident; ETHAN)
 24 SCHIERENBECK, a Washington resident;)
 JUDY PRENOVOST, a Washington resident;)
 25 ALYSSA MERCER, a Washington resident;)
 SETH & CASSIE POHLMAN, Washington)
 26 residents; SHELLY VEAZEY, a Washington)
 resident; TANYA EVANS, a Washington)

1 resident; ADAM POHLMAN, a Washington)
 2 resident; ARDEN BARDEN, a Washington)
 3 resident; IRIS PALLER -MILNE, a)
 4 Washington resident; JEFF & KATHERINE)
 5 POTASKY, Washington residents; RYAN)
 6 HILDEBRAND, a Washington resident;)
 7 MIKE & SANDY O'HARA, Washington)
 8 residents; ANTONIO GENSON, a)
 9 Washington resident,)
 10 Defendants.)

11 **ORDER**

12 Plaintiff Endurance American Specialty Insurance Company (“Endurance”) and
 13 Defendant/Counterclaimant Laer Enterprises, Inc. (“Laer”) have stipulated to and requested a stay of
 14 the remaining insurance coverage claims of the moving parties until the conclusion of the Underlying
 15 Lawsuit.¹

16 The Court has reviewed the submission of the parties and finds that good cause exists to enter
 17 this order. It is hereby ORDERED that this matter is stayed pending the conclusion of the Underlying
 18 Lawsuit. This stay shall not restrict Endurance from seeking entry of a judgment against the defaulted
 19 parties. Endurance is authorized to present to the Court a motion for entry of default judgment against
 20 the defaulted parties.

21 Endurance and Laer shall advise the Court of the status of the Underlying Lawsuit every 60 days
 22 until those proceedings are concluded.

23 DATED this 21st day of June, 2023.

24 

25 RICARDO S. MARTINEZ
 26 UNITED STATES DISTRICT JUDGE

¹ Schumacher et al. v. LGI Homes – Washington, LLC et al, King County Superior Court Cause number 21-2-10435-1-SEA and a related arbitration proceeding currently pending before the American Arbitration Association.